

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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<b>IN RE:</b>	:	
Deidre Lee Patterson	:	Chapter 13
	:	Case No.22-11464-PMM
Debtor(s)	:	

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**EMERGENCY MOTION FOR LEAVE OF COURT  
TO ALLOW A SUBSEQUENT BANKRUPTCY FILING**

Deidre Lee Patterson (the “Debtor”), by and through the undersigned counsel, hereby requests leave of court to file a subsequent chapter 13 bankruptcy matter for the following reasons:

1. The Debtor filed the instant chapter 13 bankruptcy case on June 06, 2022 (the “Petition Date”).
2. The chapter 13 case was assigned case number 22-11464.
3. On January 12, 2023, the Court entered an Order Granting Motion to Dismiss Case for Failure to Make Plan Payments With Prejudice. (Docket No. 57)
4. The Order dismissing the Debtor’s case provided that the Debtor is barred from filing another bankruptcy case, either individually or jointly with a spouse, without prior leave of Court.
5. On November 03, 2010, the Debtor filed a chapter 13 bankruptcy; the filing was assigned case number 10-23263.
6. On March 07, 2012, the Debtor filed a chapter 13 bankruptcy; the filing was assigned case number 12-12222.
7. On August 09, 2018, the Debtor filed a chapter 13 bankruptcy; the filing was assigned case number 18-15315.

8. On September 05, 2019, the Debtor filed a chapter 13 bankruptcy; the filing was assigned case number 19-15521.

9. This Motion for leave of court to allow a subsequent bankruptcy filing is being filed on an emergency basis in that there is a Sheriff's Sale on the Debtor's residence scheduled for tomorrow, March 10, 2023, at 9:00 a.m.

10. The Debtor's chapter 13 plan in the instant matter was not confirmed because the Debtor was not adequately advised of either (a) the amount of her chapter 13 payment; or (b) the date by which she was required to begin making payments to the chapter 13 trustee, by her prior counsel.

11. The Debtor was not made aware of the fact that her chapter 13 plan payment was approximately \$5,000.00 per month until she was already delinquent approximately \$15,000.00. Accordingly, the instant was case dismissed for failure to make plan payments.

12. The Debtor is involved in real estate and property management with a gross income of approximately \$8,000.00 monthly. As such, the Debtor has the financial wherewithal to file a feasible, confirmable chapter 13 plan.

13. The Debtor is aware that she will be required to pay both the chapter 13 trustee and her mortgage company directly in the event the Court grants leave to file a subsequent bankruptcy case.

14. The Debtor believes that there is substantial equity in the Debtor's properties, and in the event the Debtor cannot pay her ongoing chapter 13 obligations, the Debtor has been advised of the alternative option of a sale plan—instead of a cure plan—to effectuate payment to the Debtor's creditors.

15. Due to the extreme emergency nature of this Motion, the Debtor waives the right to a hearing and will accept the Court's ruling solely on these pleadings.

WHEREFORE, the Debtor requests that this Honorable Court grant this Motion for Leave of Court to file a subsequent chapter 13 bankruptcy case, and for such additional or alternative relief as may be just and proper.

DATED: 3/9/2023

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